

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 334

AN ACT to amend the Indiana Code concerning property.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 4-22-2.1-1, AS ADDED BY P.L.188-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. Except for a rule that is the subject of a rulemaking action under IC 13-14-9, **IC 22-12, IC 22-13, IC 22-14, or IC 22-15**, this chapter applies to a rule for which the notice required by IC 4-22-2-23 is published by an agency after June 30, 2005.

SECTION 2. IC 32-21-12 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]:

Chapter 12. Deed Restrictions Regarding Industrialized Residential Structures

Sec. 1. As used in this chapter, "industrialized residential structure" means a structure that is:

- (1) an industrialized building system (as defined in IC 22-12-1-14) certified under IC 22-15-4-1;**
- (2) a Class 2 structure (as defined in IC 22-12-1-5(a)(1));**
- (3) intended for placement on a permanent foundation; and**
- (4) constructed in conformance with the applicable edition of the Indiana Residential Code (675 IAC 14).**

Sec. 2. This chapter applies only to deed restrictions or restrictive covenants that are recorded after June 30, 2007.

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Sec. 3. (a) Except as provided in section 4 of this chapter, a deed restriction or restrictive covenant may not prohibit or restrict the erection of an industrialized residential structure on real property.

(b) This section does not require a property owner to erect an industrialized residential structure on the owner's property.

Sec. 4. A deed restriction, restrictive covenant, or agreement that applies uniformly to all homes and industrialized residential structures in a subdivision may impose the same aesthetic compatibility requirements on an industrialized residential structure in the subdivision that are applicable to all residential structures in the subdivision.

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President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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